



10 AUG 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

3

ARENT FOX PLLC
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

In re Application of :
ONGINI, Ennio et al. :
U.S. Application No.: 10/537,439 :
PCT No.: PCT/EP03/50932 :
Int. Filing Date: 03 December 2003 :
Priority Date: 17 December 2002 :
Attorney Docket No.: 026220-00065 :
For: DRUGS FOR CHRONIC PAIN :

DECISION

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. §371.

BACKGROUND

On 03 December 2003, applicant filed international application PCT/EP03/50932, claiming a priority date of 17 December 2002. The international application was transmitted to the Office by the International Bureau on 03 January 2003. Accordingly, the thirty-month period for paying the basic national fee in the United States expires at midnight on 17 June 2005.

On 16 June 2005, applicants filed two transmittal letters for entry into the national phase in the United States, accompanied by declarations, checks and preliminary amendments.

DISCUSSION

Applicants submitted two sets of papers to enter the national stage for international application number PCT/EP03/50932. The end result for an international application designating the United States of America is a single U.S. national stage application. Therefore, the submission of two sets of national stage papers to enter the United States was improper.

The papers from both of the filings have been consolidated into a single national stage application for PCT/EP03/50932, under the serial number 10/537,439. The additional fees for the second national filing will be refunded to deposit account no. 01-2300, as authorized.

CONCLUSION

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450,

Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further national stage processing. Applicant should use application number 10/537,439 in all future communications with the Patent and Trademark Office regarding the U.S. National stage of international application PCT/EP03/50932.

Erin P. Thomson

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459